

JURISDICTION:

General Reference:

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This chapter summarizes Maryland State statutes related to speed. Annotated Code of Maryland Most references are to the Transportation Article (Tran.)

Basis for a Speed Law Violation:

Basic Speed Rule:

A person shall not operate a vehicle at a speed that, with regard to the actual and potential dangers existing, is more than that which is reasonable and prudent under the conditions. Tran. 21-801(a)

Statutory Speed Limit:
See Other below.

65 MPH is the maximum speed limit which can be established on any highway. Tran. 21-801.1(e)(2)
55 MPH on (1) highways which are not interstate highways or expressways or (2) divided highways in other locations Tran. 21-801.1(b)(4) & (e)(1)
50 MPH on undivided highways except as noted below Tran. 21-801.1(b)(3)
35 MPH on divided highways in residential districts Tran. 21-801.1(b)(2)
30 MPH on highways in business districts or on undivided highways in residential districts Tran. 21-801.1(b)(1)

Posted (Maximum) Speed Limit:

I. Based on engineering and traffic investigations, the State Highway Administration may alter the above speed limits. Such alterations may provide for different speed limits (1) at specified times of the day, for certain weather conditions, for various types of vehicles, and for other reasons concerned with highway safety. However, no speed limit shall be (1) >65 MPH on any highway or (2) >55 MPH on highways which are not interstate highways or expressways or divided highways in other locations. Tran. 21-801.1(d) and (e)(1) & (2), 21-208
II. Based on engineering and traffic investigations, local governments¹ may establish posted speed limits.² However, a speed limit of >50 MPH cannot be established in an urban district. In addition, a speed limit <25 MPH cannot be established outside an urban district. Tran. 21-803
III. A local government may establish a safe maximum speed limit for an alley. Tran. 21-803(e)
IV. The State Highway Administration or a local government on highways under their respective jurisdictions, may establish a speed limit in a designated school zone which is within half-mile of a school.³
However, such speed limit cannot be >35 MPH in a school zone where a school crossing guard is present. Tran. 21-803.1(a), (e) & (f)

Basis for a Speed Law Violation:
(continued)

Minimum Speed Limit:

I. A person shall not operate willfully operate a motor vehicle at such a slow speed as to impede the normal and reasonable movement of

County boards of education and university and college officials have the authority to establish speed limits on property within their jurisdiction. Tran. 21-803.2

With the exception of the City of Baltimore, the State Highway Administration must approve the alteration of a speed limit on a State highway by a local authority. ' 803(d)

Under other statutory authority, a municipality within a county may establish a speed limit of 15 MPH in a school zone during school hours. Tran. 21-803(b)(2)

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	traffic. Tran. 21-804(a) II. A person, who is driving a vehicle either (1) at 10 MPH or more below the posted speed limit or (2) at less than the normal speed of traffic, shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. Tran. 21-301(b)
Posted (Minimum) Speed Limit:	Based on engineering and traffic investigations, the State Highway Administration or a local government may establish a minimum speed limit on a highway or part thereof. Tran. 21-804(b) & 21-1409
Other:	I. The State Highway Administration, a county, a municipal corporation or Baltimore City may reduce speed limits in highway work zones. Tran. 1-101(e) & 21-802.1 II. A school bus, while carrying any passengers, cannot be operated at a speed >50 MPH. Tran. 21-806(a) III. Following an investigation, the State Highway Administration may establish a maximum safe speed for any bridge or elevated structure. Tran. 21-806(b) IV. Certain "dump trucks" when loaded cannot be operated at a speed >45 MPH. This restriction does not apply on divided highways with two or more lanes in each direction. Tran. 13-919(g)
<u>Adjudication of Speed Law Violations:</u>	
Civil/Criminal Adjudication of Violation:	All Speed Law Violations are Misdemeanors. Tran. 27-101(a)
Other:	
<u>Sanctions Following an Adjudication of a Speed Law Violation:</u>	
Criminal Sanctions:	
Imprisonment:	
Term (Day, Month, Years, Etc.):	None
Mandatory Minimum Term:	
Fine:	
Amount (\$ Range):	Not more than \$500 Tran. 27-101(b)
Mandatory Min. Fine (\$):	None
Other Penalties:	
Traffic School:	School Zone. A fine of not more than \$1,000 may be imposed for exceeding a school zone speed limit. Tran. 27-101(r)
Other:	
<u>Sanctions Following an Adjudication of a Speed Law Violation:</u> (continued)	
Licensing Action:	
Type of Licensing Action	

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(Susp/Rev):
Term of License Withdrawal
(Days, Months, Years, etc.):
Mandatory Minimum Term of
Withdrawal:

Suspension or Revocation via a Point System⁴

Not more than **2 years**⁴

None If a suspension or revocation would adversely affect an offender's employment or opportunity for employment, such licensing action may be declined, canceled or modified. Tran. 16-405(a)

Miscellaneous Sanctions
Not Included Elsewhere:

Notification. If a minor (a person <18 years old) is charged with a speeding offense where the speed was ≥ 20 MPH over the speed limit, the State notifies the cosigner of the minor's license of the charge. Art. 1, 24(b)(2) & Tran. 21-808

Other Criminal Actions Related to Speeding:

Race or Speed Contest on a Highway:
Sanctions:
Criminal Sanction:
Imprisonment (Term):
Mandatory Minimum Term:
Fine (\$ Range):
Mandatory Minimum Fine:

Misdemeanor Tran. 21-1116(a) & 27-101(a)

None

Not more than **\$500** Tran. 27-101(b)
None

Administrative Licensing Action:
Licensing Authorized and
Type of Action:

Suspension or Revocation via a Point System⁴

Other Criminal Actions Related to Speeding: (continued)

Race or Speed Contest on a Highway: (continued)
Length of Term of
Licensing Withdrawal:
Mandatory Action--Minimum
Length of License
Withdrawal:

Not more than **2 years**⁴

None If a suspension or revocation would adversely affect an offender's employment or opportunity for employment, such licensing action may be declined, canceled or modified. Tran. 16-405(a)

Point System. If a person accumulates 8 points (16 points if the offender is required to drive in the course of employment) or 12 points (19 points if the offender is required to drive in the course of employment) within 2 years, they are subject respectively to either a license suspension or revocation. Tran. 16-404(a)(3) & 16-405(a). Initial suspension is from 2 to 30 days; a subsequent suspension is from 15 to 90 days. A person, who has had their license revoked, is subject to the following revocations: 6 months if it is the offender's first revocation; 1 year if it is the offender's second revocation; 18 months if it is the offender's third revocation; and, 2 years if it is the offender's fourth or subsequent revocation. Tran. 16-208(b) Note: For persons <18 years old, suspension is for 6 months if they accumulate 6 points and is for 1 year if they accumulate 2 additional points. Tran. 16-206(b) These suspensions may be modified (i.e., they are not mandatory). Tran. 16-206(c)(5) The following point system is used for speeding offenses and speed related law violations: Speeding ≥ 10 MPH over the posted speed limit-2 points; reckless driving-4 points; speeding ≥ 30 MPH over the posted speed limit-5 points; participating in a race or speed contest on a highway-5 points; exceeding the 65 MPH posted speed limit by ≥ 20 MPH-5 points; for any other traffic law (moving) violation not contributing to an accident-1 point; and, for any other traffic law (moving) violation contributing to an accident-3 points. Tran. 16-405(a) **Provisional Licensee.** A person, who holds a provisional license, is subject to the following sanctions, which are in addition to any other sanctions, for a conviction for a moving violation that requires the assessment of points. 1st offense-the offender is **required** to attend a driver improvement program; 2nd violation-An offender's license may be suspended for not more than 30 days; and, 3rd or subsequent violation-An offender's license **may** be suspended for not more than 180 days. Tran. 16-213 Notwithstanding, a provisional license is generally issued to persons who are less than 18 years old. Except for activities related to employment, education or athletic events, a provisional licensee may not operate a motor vehicle while unsupervised between the hours of 5 A.M. to midnight. Tran. 16-103(c) & 16-113(d)

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Other:

Reckless Driving⁵:

Sanction:

Misdemeanor Tran. 21-901.1(a) & 27-101(a)

Criminal:

Imprisonment (Term):

None

Mandatory Minimum Term
of Imprisonment:

Fine (\$ Range):

Not more than **\$500** Tran. 27-101(b)

Mandatory Minimum Fine:

None

Administrative Licensing Actions:

Type of Licensing Action
(Susp/Rev):

Suspension or Revocation via a Point System⁴

Length of Term of License

Withdrawal Action:

Not more than **2 years**⁴

Mandatory Term of License

Withdrawal Action:

None If a suspension or revocation would adversely an offender's employment or opportunity for employment, such licensing action may be declined, canceled or modified. Tran. 16-405(a)

Other:

Negligent Driving⁶:

Sanction:

Misdemeanor Tran. 21-901.1(b) & 27-101(a)

Criminal:

Imprisonment (Term):

None

Mandatory Minimum Term
of Imprisonment:

Fine (\$ Range):

Not more than **\$500** Tran. 27-101(b)

Mandatory Minimum Fine:

None

Other Criminal Actions Related to Speeding:
(continued)

Negligent Driving: (continued)

Administrative Licensing Actions:

Type of Licensing Action
(Susp/Rev):

Suspension or Revocation via a Point System⁴

Length of Term of License

Withdrawal Action:

Not more than **2 years**⁴

Mandatory Term of License

Withdrawal Action:

None If a suspension or revocation would adversely an offender's employment or opportunity for employment, such licensing action may be declined, canceled or modified. Tran. 16-405(a)

Reckless driving" is defined as operating a motor vehicle either (1) in a wanton or willful disregard for the safety of persons or property or (2) in a manner that indic: on or willful disregard for the safety of persons or property. Tran. 21-901.1(a)

Negligent driving" is defined as operating a motor vehicle in a careless or imprudent manner that endangers any property or the life or person of any individual. ' 901.1(b)

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Other:

Commercial Motor Vehicle (CMV) Operators⁷:

Grounds for Disqualification:

A person is disqualified from operating a CMV if while driving such a vehicle they either (1) commit 2 "serious traffic violations"⁸ within a 3 year period or (2) commit 3 such violations within a 3 year period. Tran. 16-812(f) & (g)

Period of Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** Tran. 16-812(f) & (g)

Period of Mandatory Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** Tran. 16-812(f) & (g)

⁷ A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of $\geq 26,001$ lbs., is designed to transport 16 or more persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. Tran. 11-109.1(a)

⁸ A "serious traffic violation" includes excessive speeding as defined by the U.S. Department of Transportation (exceeding the speed limit by 15 or more MPH) or reckless driving. Tran. 16-803(h)

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